

Conference on Disarmament

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Final record of the one thousand two hundred and fifty-ninth plenary meeting

Held at the Palais des Nations, Geneva, on Thursday, 31 May 2012, at 10.25 a.m.

President: Mr. Kari Kahiluoto (Finland)

The President: I declare open the 1259th plenary meeting of the Conference on Disarmament. As Finland has now assumed the presidency of the Conference on Disarmament, I wish to avail myself of this opportunity to make an opening statement for the presidency.

Let me start by thanking my P6 predecessors for the 2012 session, the ambassadors of Ecuador, Egypt and Ethiopia, for their hard work and commitment to get the Conference on Disarmament back on track, negotiating.

We are now halfway through this year's Conference session, and we still do not have a programme of work. What we do, however, have is a schedule of activities, and thus it will remain my duty during this short presidency to direct these substantive discussions to the best of my ability. In my opinion we should have every possibility to conduct these thematic discussions in a way that would be conducive to eventual further steps towards multilateral treaty-based disarmament and non-proliferation. Thematic discussions do not replace negotiations, but at best they can build up potential for future negotiations. During the Finnish presidency, the Conference will have an opportunity in the next four weeks for a full cycle of discussions on all four main core issues and an opportunity for the first time in plenary to address the vital issue of revitalization of the Conference. I am especially looking forward to the discussion on 14 June on revitalization, as this debate and the subsequent session on 21 August will feed into a critical assessment of the Conference at the United Nations General Assembly this coming October.

A few words concerning practical arrangements for the schedule of activities. I requested the United Nations Institute for Disarmament Research (UNIDIR) to assist me, as Conference President, to structure the plenary sessions during this presidency, and to have their representative make from the podium short factual presentations on the topic at hand at the beginning of each session. It is apparent that the realization of this request will require some further consultations. I will, however, resort to support from UNIDIR in my introduction to this session towards the end of this opening statement. I also intend to invite some interactivity in the debates in this session. Parallel to these discussions in plenary, I will continue consultations to establish whether positions may have developed in such a way as to permit the Conference to decide on a programme of work, or whether new initiatives for establishing a programme of work could be presented. I will in this opening statement concentrate on the situation of the Conference itself and on the fissile material cut-off treaty (FMCT). The Foreign Minister of Finland, Mr. Erkki Tuomioja, will address the Conference at the concluding session of the Finnish presidency on 19 June, speaking on the broader disarmament agenda.

As we all know, the swift resumption of negotiations would allow the Conference to regain its authority as the sole multilateral negotiating body in the field of disarmament. This Conference has achieved much in the past. It is high time to do so again and show that it can still live up to its original mission and negotiate new treaty-based instruments for multilateral security. I share the frustration expressed regarding the prolonged lack of an outcome in the efforts to agree on a negotiating mandate for the Conference. However, we should not lose sight of more positive assessments. The Conference has remained an important structural part of the international United Nations-based multilateral system designated for disarmament and non-proliferation. The Conference is not the only institution in the United Nations system that has evidenced prolonged periods of inactivity. Still, the institution has served many ends at the same time. The Conference has a strong, even unique, convening power and has over the years generated a knowledge base and a diplomatic presence in Geneva for multilateral negotiations on issues related to weapons of mass destruction, and it has also generated the establishment of implementation structures. Possibly we could say that the side benefit has temporarily become the main outcome. The Conference and the disarmament expert community assembled around it stand at a unique

nexus of disarmament, arms control, development, humanitarian law, relevant research and interested civil society that only Geneva can provide as a diplomatic environment. It is true that many years have separated us from results such as the Comprehensive Nuclear-Test-Ban Treaty and the Chemical Weapons Convention, but the Conference has provided a background and structure for the development of the Geneva agenda on disarmament. If we lose the Conference, we stand to lose a lot. The Conference is a tool, not an end to itself, but it has been and still can be a good and useful tool. Concerning nuclear disarmament and non-proliferation, it is only in the Conference and as a Conference member that a country such as Finland has had and has a permanent right to participate on an equal footing in negotiations on potential new treaty instruments in the field of nuclear disarmament. From this viewpoint I very well understand the continued interest in the enlargement of the Conference.

With reference to the question of support from UNIDIR, I would now like to provide the Conference with the following abbreviated remarks as an introduction to previous discussions in the Conference on an FMCT.

The first occasion on which a firm focus was provided for fissile material in the Conference or in its precursors was in June 1964, when the United States submitted a working paper to the Conference of the Eighteen-Nation Committee on Disarmament about the inspection of nuclear Powers under a cut-off of fissionable material for use in weapons. Then in 1978, following a Canadian proposal to ban fissile material for use in weapons, the first special session of the General Assembly on disarmament, in a consensus resolution, proclaimed that the achievement of nuclear disarmament would require "urgent negotiation of agreements ... with adequate measures of verification ... for ... cessation of ... the production of fissionable material for weapons purposes".

The cold war and the Conference's preoccupation with the Chemical Weapons Convention and the Comprehensive Nuclear-Test-Ban Treaty dominated the scene until March 1995, when Canadian Ambassador Shannon, special coordinator for fissile material, produced a report known as the "Shannon mandate" calling for an ad hoc committee within the Conference to negotiate a fissile material treaty that would be "non-discriminatory, multilateral and internationally and effectively verifiable". That term was drawn from a General Assembly resolution adopted by consensus in 1993, following a proposal by United States President Bill Clinton for negotiations on a treaty to ban the production of fissile material. It was intended to ensure that the outcome applied the same verification rules to all parties. The mandate did not explicitly describe the scope of the negotiations in relation to stocks of fissile material, but Ambassador Shannon made it clear that the establishment of an ad hoc committee did not preclude any delegation from raising for consideration in the subsidiary body any of the issues cited in his report, including that of pre-existing stocks of fissile material.

Uptake of the Shannon mandate was not immediate, and discussions on forming a subsidiary body to negotiate a fissile material treaty stalled. Some Conference members insisted that progress towards the negotiation of such a treaty should be linked to progress towards the elimination of nuclear weapons, and called for a specific timetable for nuclear disarmament. The five nuclear-weapon States recognized as such under the NPT disagreed with this linkage, but individually subsequently made various linkages of their own. In 1998, in the wake of the nuclear tests made that year, a breakthrough was achieved. On 11 August, the Conference formally established an ad hoc committee to negotiate a treaty in accordance with the Shannon mandate, but the committee met for only three weeks. That mandate,

contained in document CD/1299, although featuring in all subsequent proposals for a programme of work, remains unimplemented.

To sum up, the history of fissile material in the Conference is inextricably linked in one way or another to progress on nuclear disarmament. The challenge facing the Conference is not to determine whether one issue is riper than another, but to find a way of tackling and taking forward both issues.

I will end the quotation here; the rest is readable in the distributed document.

I wish to thank the delegations of Germany and the Netherlands for organizing a meeting of FMCT scientific experts here in Geneva earlier this week. My country's delegation, including a scientific expert from our capital, found these discussions very useful and interesting.

Finally, as this session is devoted, according to the schedule of activities, to the issue of an FMCT, I will open the floor soon for substantive statements. First, before opening the floor for statements on the FMCT issue, which is the topic of this session, according to the schedule of activities, I invite delegations that wish to take the floor on issues other than the FMCT to do so.

I give the floor to the delegation of Pakistan.

Mr. Akram (Pakistan): Thank you, Mr. President, and since this is the first time I have taken the floor under your presidency, allow me to begin by congratulating you on the assumption of the presidency and to assure you of our full cooperation.

Mr. President, the reason I have taken the floor is, first of all, to thank UNIDIR for the very important input which you have read out. I would like to request that such a useful input from UNIDIR also be provided when we take up the three other core issues on our agenda, not only so that there is balance but also so that we have very informative background information on past proceedings on those issues.

The President: Thank you. This will be the case; it will be provided. Are there other delegations that wish to take the floor on issues other than the FMCT? That not being the case, and per the revised schedule of activities contained in document CD/WP.571/Rev.1, today's plenary meeting will be focusing on the issue of cessation of the nuclear arms race and nuclear disarmament, and on the prevention of nuclear war, including all related matters, with a general focus the prohibition of the production of fissile material. I am sure that our debates today and in the following weeks will be as interesting, and I would like to call upon you to make the discussion as interactive as possible in plenary.

In order to assist delegations in their substantive discussions on the different issues, UNIDIR has provided delegations with a compilation of relevant documentation. This compilation has been put in the delegations' pigeonholes on this floor and is also available in the corridor. I would also like to draw the attention of delegations to a compilation of Conference documents on the core issues which has been produced by the secretariat, and which can be found on the Conference pages on the UNOG website.

At this time I would like to open the floor to delegations. Allow me to first turn to the list of registered speakers. There are 16 speakers registered for this session. I give the floor first to the representative of the United States of America.

Ms. Kennedy (United States of America): Mr. President, let me offer my congratulations to you on assuming the Conference presidency. We of course look forward to working with you. I would also like to thank you and UNIDIR for reprising the history of the issue of an FMCT and for framing today's discussion.

The conclusion of an FMCT remains a vital and necessary step for nuclear disarmament and non-proliferation. This step has, as you yourself noted, been repeatedly endorsed by the international community, as far back as at the first special session of the General Assembly on disarmament in 1978 and at multiple NPT review conferences, for example.

We believe an FMCT is essential if we are to work towards a world without nuclear weapons, as President Obama highlighted in his 2009 Prague speech. Shortly thereafter, as we all recall, this Conference finally reached consensus on document CD/1864 to commence FMCT negotiations as part of a balanced programme of work. And yet, sadly, three years later, the Conference is no closer to such negotiations. All those who share the priority goal of nuclear disarmament should also acknowledge that we cannot achieve that priority goal without taking this first step of capping fissile material production for use in nuclear weapons.

Let me outline some of the parameters for an FMCT that we have identified previously in multiple Conference plenary sessions, formal and informal meetings and technical discussions on the margins over the years, including side events. In this connection, let me echo your thanks to our colleagues from Germany and the Netherlands for their initiative in organizing a continued focus on some of these elements in complementary technical talks held here in Geneva. We value the contributions of such technical discussions that allow us to do our homework on an FMCT. I can think of no other disarmament measure for which the groundwork has been better prepared. In fact, I believe we are ready for the final examination, and that is the conduct of negotiations themselves. There is no technical obstacle to the commencement of negotiations – we all know the obstacle is political in nature.

Then, in such a negotiation, we will need to address the definitions, scope and verification arrangements for an FMCT. Allow me to recap United States positions on these treaty elements. In our formulation of our positions on the substance of the treaty, our shared goal is a non-discriminatory treaty that halts the production of fissile material for use in nuclear weapons and is internationally verifiable.

The purpose of an FMCT, in our view, is to ban the production of fissile material for use in nuclear weapons or other nuclear explosive devices. For this reason, we have suggested a definition of fissile material aimed at capturing material that could be used to make such weapons. It corresponds to the standard International Atomic Energy Agency (IAEA) definition of direct-use material. It is important to note that there are legitimate civilian and military uses for fissile material — as would be defined under an FMCT — other than nuclear weapons and other nuclear explosive devices. The treaty will need to take such uses into account.

Further, our definition of “production” captures the processes by which material directly usable in weapons — what IAEA calls unirradiated direct-use material — is created. The processes that produce materials directly usable in weapons are primarily isotopic separation of uranium, or enrichment, and chemical separation of plutonium from irradiated nuclear material, or reprocessing. No one is arguing that one can make a weapon directly out of spent nuclear reactor fuel.

Our suggested verification approach would be based on monitoring facilities designed or used to produce fissile material — mainly enrichment and reprocessing facilities — and accounting for any newly produced fissile material. It is tied directly to the expected basic undertaking of an FMCT in these basic definitions. Our approach aims at balancing implementation costs with meeting the object and purpose of the treaty. This structure for an FMCT is aimed at complementing the NPT. We do not foresee additional

verification obligations under an FMCT for an NPT non-nuclear-weapon State with a comprehensive safeguards agreement in place, supplemented by an additional protocol.

We believe that the verification system of an FMCT ought to be spelled out in the treaty and tied closely to the basic undertakings of that treaty. An agreed verification protocol or model verification agreement will be essential for a credible FMCT. IAEA is best suited for, and should be responsible for, carrying out monitoring and inspections. Many of the measures needed for FMCT verification have already been developed in the context of IAEA safeguards; we do not advocate reinventing these tools. Procedures such as managed access will need to be developed for both routine and non-routine inspections. In all cases, verification procedures would have to take care to protect confidential or sensitive information. Notwithstanding our view on the role of IAEA, we are still considering the merits of whether to support a separate FMCT organization with political authority over treaty implementation.

Regarding the scope of an FMCT, the United States position is well known: FMCT obligations, including verification obligations, should cover only new production of fissile materials. We believe existing stockpiles should be dealt with separately, through other agreements or voluntary measures. We have already undertaken many such measures, both unilaterally and with Russia, and are also working with IAEA on appropriate verification. Attempting to address stocks multilaterally and linking them to a cut-off of new production will only complicate efforts on both aspects of the fissile material problem. We acknowledge, of course, that the scope of the treaty will be settled in the negotiations, consistent with the Shannon mandate, as you discussed earlier, Mr. President.

Theoretically, one could design a narrower set of FMCT obligations, but this would raise concerns as to whether the objective of the treaty would be satisfied. Failure to constrain or verify production of material that is readily usable in nuclear weapons would create opportunities to circumvent those objectives. Conversely, one could design a treaty with a broader scope and broader verification requirements, but this would be much more difficult to negotiate and more costly, without any true increase in effectiveness.

Thank you again, Mr. President, for allowing us another opportunity to share the broad outlines of our thinking on an FMCT. Of course, as I indicated, there are a multiplicity of issues and details that can only be worked out in an actual negotiation. As many have observed, our deliberations, no matter how substantive, are not a substitute for negotiations. We believe the international community is ready and almost universally willing to negotiate an FMCT now. We regret that this sole standing forum for disarmament negotiations, after more than 15 years, still has not undertaken this long-overdue step. We will continue to work with our partners on a way forward and explore options for an FMCT.

Ms. Golberg (Canada) (spoke in French): Mr. President, I would like to begin by congratulating you on taking the Chair of the Conference on Disarmament and assuring you of my delegation's active support. Canada is increasingly concerned at the continuing debate over the negotiation of a treaty that would ban the production of fissile material used to make nuclear weapons or other nuclear explosive devices.

For nearly 20 years now, the United Nations General Assembly, by consensus or near-consensus, has been calling on the Conference on Disarmament to begin negotiations. Recently, it resolved to consider options that would allow the negotiations to begin if the Conference remains in an impasse in 2012. The States parties to the Treaty on the Non-Proliferation of Nuclear Weapons and the participants in the first special session devoted to disarmament had also called for negotiations to start so that the production of fissile material can be ended. An FMCT is not an end in itself but a concrete and practical step in an ongoing process. That being so, it is highly likely that the moratoriums that most

nuclear-weapon States have declared, voluntarily, I might add, on the production of fissile material for nuclear weapons have perhaps allowed us to become complacent. We have debated the merits of a treaty, and its relation to other issues, in depth. Yet we should make no mistake: while we debate the issue endlessly, some countries are using this time to continue to produce fissile material which will be used for nuclear weapons. How is that in the collective interest of international security and stability?

(speak in English)

We seem to have forgotten that negotiation requires compromise. Neither national positions taken at the start of a negotiation nor ultimatums seeking to define negotiations ahead of time can guarantee the outcome. We have all sought to define our own version of a perfect FMCT. As a result, 17 years after our predecessors agreed to the Shannon mandate, we have nothing to show for it. If any country should bear a particular attachment to the Shannon mandate, it is my own. However, Canada is not in fact wedded to the Shannon mandate. If any State can produce a new mandate for the negotiation of an FMCT which holds a better prospect for consensus and an immediate commencement of negotiations, Canada would support it.

However, the Shannon mandate has reflected the very best consensus possible to date. It establishes some directions for the negotiations but without resolving all the issues, notably that of stocks, as the outstanding issues were in effect meant to be the subject of negotiation. The reason for our impasse seems to us not simply to be a lack of political will or intransigence by one side or another. Ambassador Shannon was unable to find a consensus on this issue for the same reason that we still fail to do so today. This is a complex question. It is not a question of all or nothing. As has been noted by many FMCT experts, including those who were brought together by the Germans yesterday and the day before — to whom we are very grateful — there are many variants between these two approaches. Determining the point where consensus exists will require complex debate, many heated arguments and eventually a compromise — in other words, a negotiation. Staking out an all-or-nothing approach prevents real progress.

Perhaps for a moment we should imagine what the world would look like had we actually negotiated a treaty 10 or 15 years ago. How might we have changed the global security environment? Would regional and international security be increased if fissile material were not still being produced in certain regions? Would the nuclear-weapon States be demonstrating greater transparency, at least with regard to their fissile material holdings? What sort of international verification measures might be in place? Of course, this is all hypothetical. The question before us now is: do we want the potential benefits of an FMCT to remain hypothetical for another 15 years, or are we prepared to stop debating what to negotiate and actually begin negotiating? It is time for us to start seeking to resolve our differences through negotiation, with full regard for national security concerns. This will not be an easy process, but it holds hope for a real, concrete process.

Mr. Iliopoulos (Denmark): Mr. President, I have the honour to speak on behalf of the European Union. The acceding country Croatia, the candidate countries Montenegro, Serbia and the former Yugoslav Republic of Macedonia, the stabilization and association process country and potential candidate Bosnia and Herzegovina, as well as Georgia and the Republic of Moldova, align themselves with this declaration. Allow me first to congratulate you on the assumption of the post of President of the Conference on Disarmament.

In our opening statement of 24 January 2012, we stated that we attach clear priority to the immediate commencement and early conclusion of the negotiation in the Conference on Disarmament of a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices (FMCT), on the basis of document CD/1299 of 24

March 1995 and the mandate contained therein and subsequently referred to in document CD/1864.

For the European Union, launching these negotiations is urgent and important. An effective FMCT would constitute a significant step in the process of nuclear disarmament, as well as strengthening nuclear non-proliferation. The European Union is convinced that an FMCT, by banning the production of fissile material for nuclear weapons or other nuclear explosive devices, would contribute significantly to nuclear disarmament efforts under article VI of the NPT. Logically, an FMCT constitutes the next multilateral instrument to be negotiated in the nuclear disarmament field as a complement to the NPT and the Comprehensive Nuclear-Test-Ban Treaty. The international community's support for the immediate commencement of FMCT negotiations in the Conference on Disarmament has been expressed on many occasions, most recently in the final document of the NPT Review Conference and in United Nations General Assembly resolution 66/44.

We appreciated the exchange of views on FMCT which took place during Conference sessions in 2010 and 2011, and which were complemented by the three side events organized by Australia and Japan last year. We welcome the fact that two European Union member States, Germany and the Netherlands, have taken another initiative in this field by hosting, earlier this week, a meeting of FMCT scientific experts which was also actively supported by other European Union member States and offered a venue for an informative and open discussion on technical issues related to a future FMCT. Such debates help to clarify some of the many technical issues at stake, including issues related to scope, definitions, verification and institutional arrangements.

We appreciate and support the opinion expressed by the Secretary-General of the United Nations in his message to the Conference on Disarmament, delivered during the opening meeting of this year's session, when, speaking about the negotiation of an FMCT, he said: "it is clear that national security interests can be defended most effectively during the negotiations and, later, in the national signature and ratification process".

At the same time, we consider that there are confidence-building measures that can be taken immediately, without the need to wait for the commencement of formal negotiations. This is why we call on all States possessing nuclear weapons to declare and uphold a moratorium on the production of fissile material for nuclear weapons or other nuclear explosive devices.

We look forward to making headway towards the early start of negotiations on an FMCT, as called for by General Assembly resolution 66/44, which urged the Conference on Disarmament to commence the negotiation of an FMCT early in 2012.

Mr. Amano (Japan): Mr. President, I would like to congratulate you on the assumption of the presidency of the Conference on Disarmament. I assure you of my delegation's full support and cooperation as you guide these thematic debates.

Japan has for many years been consistent in its call for the total elimination of nuclear weapons. It is also a widely shared conviction that the total elimination of nuclear weapons cannot be achieved overnight with a single piece of paper or a declaration. It requires a cumulative process of practical and concrete measures. In this context, it is obvious, as the preamble of the NPT clearly indicates, that the first step we have to take is the cessation of the manufacture of nuclear weapons. Capping quantity by banning the production of fissile material for nuclear weapons purposes is indispensable to this end. After capping quantity by banning nuclear testing through the Comprehensive Nuclear-Test-Ban Treaty, a treaty banning the production of fissile material for nuclear weapons or other explosive devices, commonly known as an FMCT, is therefore the next logical step towards realization of a world free of nuclear weapons.

Indeed, the issue of an FMCT has reached a level of sufficient maturity to start formal negotiations. While we would like to make it clear that substantive discussions on an FMCT in the plenary meeting cannot be a substitute for negotiations, my delegation is ready to take part in these meetings without prejudice to our national positions in actual negotiations. As there are many issues that make up an FMCT, I would like to highlight four major ones: core obligations, definitions, verification and existing stocks.

Identifying the core obligation of an FMCT is the most important issue. In the various discussions to date, there has been a consensus that a ban on the future production of fissile material for nuclear weapons or nuclear explosive devices would be the core obligation of an FMCT.

As a logical consequence of a ban on future production, the entry into force of an FMCT would obligate the States possessing fissile material production facilities for nuclear-weapon purposes to close down or decommission those facilities or convert them to non-nuclear-weapon purposes. Because the reversion of such facilities to nuclear-weapon use would equate to de facto production, it should be subject to prohibition. Furthermore, the reversion of fissile material that States have voluntarily declared as excess for national security needs should similarly be banned.

There are also some other bans that we believe to be necessary. First, the diversion of existing and future stocks of fissile material for non-nuclear-weapon purposes to weapon-related purposes would also be substantially the same as production, and should be subject to prohibition. Second, receiving fissile material for nuclear weapons from another State should be subject to a ban, as such a transfer would have an effect equivalent to that of production. Third, assisting another State in its production of fissile material for nuclear weapons should be prohibited.

Next, I would like to touch upon the issue of definitions. Bearing in mind the intent and purpose of an FMCT, we have to make sure that no legal loopholes are created by inadvertently choosing narrow definitions. They should therefore be as broad as possible while not adversely affecting the peaceful uses of nuclear energy. From this perspective, we believe that the definition, in article XX of the IAEA Statute, of "special fissionable material" could provide a basis for a definition of fissile materials.

On the subject of verification issues, there are many different approaches to verifying compliance with the core obligation of an FMCT. We believe that there are four possible categories of verification to take into consideration.

The first is to confirm that the amount of stocks of fissile material for nuclear weapons or nuclear explosive devices has not increased since the date an FMCT entered into force. Under this category, it would be necessary to declare all past production of fissile material, while noting some voices from the nuclear-weapon States that making such declarations mandatory may be challenging from the perspective of protecting proliferation-sensitive information.

The second category is to confirm that the reactors and facilities for the production of fissile material for nuclear weapons or nuclear explosive devices that are closed down, decommissioned, or converted to non-nuclear-weapon purposes remain in that state. From the perspective of ensuring the core obligation of an FMCT, it would be necessary and significant to confirm that these facilities will never again operate as production facilities for nuclear weapons. Moreover, verification of this category would have the effect of substantially verifying a large part of the first category and be extremely important for improving confidence in an FMCT.

The third category is to confirm that fissile material that has voluntarily been declared as excess as a result of nuclear disarmament does not revert to nuclear-weapon

purposes. In this connection, studying how the outcome of the Trilateral Initiative between the United States, the Russian Federation and IAEA could be adapted to an FMCT would be worthwhile. Furthermore, this category of verification is particularly important to ensure the principle of irreversibility.

The fourth category is to confirm that fissile material for non-nuclear-weapon purposes has not been diverted to nuclear weapons. Given that currently voluntary safeguards are already applied to the NPT nuclear-weapon States, and that facility-specific 66-type safeguards are applied to some facilities of States not parties to the NPT, this issue can be left to the discussions in the IAEA in the context of its assistance in the examination of verification arrangements for an FMCT. On the other hand, at present the nuclear-weapon States under their voluntary safeguards may withdraw their declared civil nuclear material from IAEA safeguards, but in the event that an FMCT is established it may be necessary to revise such withdrawal provisions to conform to the new FMCT obligations. In this regard, we would like to recall the call by the 2010 NPT Review Conference, under action 30, for the wider application of safeguards to peaceful nuclear facilities in the nuclear-weapon States. Furthermore, the NPT non-nuclear-weapon States which have concluded comprehensive safeguards agreements and additional protocols should not bear additional measures or obligations under an FMCT.

The fourth major issue is stocks. We are aware of the fact that there is not yet a convergence of views on this topic. It is not, however, productive to conduct general debates on whether or not existing stocks should be included in an FMCT. Rather, it is constructive to precisely detail what specific obligations would be envisaged with regard to existing stocks. In this context, the transfer of stocks for nuclear weapons to a third country, the diversion to nuclear-weapon purposes of stocks for conventional military use, and the reversion to nuclear-weapon purposes of stocks declared as excess should be at least banned. At the same time, there are further issues in relation to existing stocks that could be studied, such as transparency-enhancing measures and realizing physical protection obligations from the perspective of strengthening nuclear security.

Lastly, I would like to take this opportunity to commend Germany and the Netherlands for hosting the meetings of FMCT experts earlier this week, which were in the same vein as the three side events involving experts that Japan and Australia held last year. Meetings such as these help to inform and support the work of the Conference on Disarmament. At the same time, through the discussions in this chamber on an FMCT, the positions of many delegations have been revealed to the greatest extent possible, and we have reached a point where we are all struggling to say anything more specific or different in a non-negotiating format. It is therefore high time that we immediately start negotiating this treaty.

Mr. Hoffmann (Germany): Mr. President, I wish to congratulate you on the assumption of the presidency and to assure you of our full support. I would assume that you, having come back to Geneva only on an interim basis to take on the Conference presidency after having served as head of the Finnish Conference on Disarmament delegation for three years in the last decade, are, at least as far as representatives of States are concerned, the person in the room with the longest recollection of Conference matters. Whether, in the light of the long-running stalemate of this body, it is a source of particular joy or satisfaction to be looking back over all these years is, of course, another question, but I am sure that the vast experience you bring to the presidency will certainly be most useful.

Let me say at the outset that we welcome the fact that for the remainder of this year's session our work will be based on a thematic schedule of activities. While this doesn't mean the long-awaited start of substantive work, it at least enables us to deal with the issues which are of particular interest in a systematic fashion.

Today we are pleased that the topic on our schedule is the long-standing project of a fissile material cut-off treaty (FMCT). This is indeed very timely, since on the past two days a meeting of scientific experts took place in Geneva, as has been mentioned by previous speakers, which dealt with certain technical issues related to an FMCT, and in which many colleagues participated.

Since this meeting, which constituted the first part of a two-event series, was hosted by the Federal Foreign Office of Germany and the Ministry of Foreign Affairs of the Netherlands, allow me to use this opportunity to make some brief remarks about it. I intend to go into more detail at the plenary of 26 June, which will again focus on FMCT. For now I will only make some general observations on the background and purpose of the meeting as we see it.

The organization of this meeting was not the first time in recent years that Germany has taken the initiative on the issue of an FMCT. In fact, when, after the adoption of a programme of work for the Conference on Disarmament on 29 May 2009 — that is, the work programme in document CD/1864, which included negotiations on an FMCT — hopes were running high that the project would at long last get under way, the German Federal Foreign Office already organized an FMCT workshop in Berlin.

Since we are convinced that the most regrettable deadlock in the Conference on Disarmament should not prevent further technical work on the issues at hand, we have once again taken the initiative with regard to an FMCT seminar, and we were delighted to have the Netherlands, one of our partner countries within the Non-Proliferation and Disarmament Initiative, as a partner in this. A second meeting of this kind will probably take place towards the end of August under the lead responsibility of the Netherlands.

Let me recall that the seminar is based on General Assembly resolution 66/44, which, *inter alia*, encourages member States to hold meetings of scientific experts on the margins of the Conference on Disarmament in support of the commencement of negotiations. The meeting dealt with very specific and technical issues. In a nutshell, it examined ways of ensuring the principle of irreversibility in a future FMCT with regard to some specific points, namely: How can facilities for the production of fissile material for nuclear weapons be decommissioned in a verifiable and transparent manner? How to handle the transformation of military facilities into civilian facilities? How to deal with facilities in nuclear-weapon States that were originally not designed for safeguards? In our view, these issues belong to a host of questions which will need to be clarified in one way or another in the course of any future negotiations on an FMCT.

It goes without saying that this meeting builds on the most useful side events on the FMCT issue hosted by our Non-Proliferation and Disarmament Initiative partners Australia and Japan in the first half of 2011. What was pointed out for those events at the time applied to this meeting of scientific experts as well, namely, that such events do not represent a negotiation or a pre-negotiation, but an opportunity to exchange views. The discussions were held under the Chatham House rule. The report to be circulated in due course will reflect the personal summary of the chair and the co-chair; it will not list participating States, nor will positions taken be attributed.

It is our hope that such exchanges and the way in which we proceed will not only deepen our knowledge and understanding of complex issues, but help build the confidence we need to make progress in the Conference on Disarmament itself. In this vein we are pleased to report that representatives of around 45 States attended the event, as did representatives of the Office of Disarmament Affairs, the IAEA and UNIDIR, and that the presentations and ensuing discussions struck us as very informative and useful. Let me thank delegations which have expressed appreciation for the meeting of scientific experts in this plenary meeting today.

I would now like to offer a few general observations on the FMCT issue from Germany's point of view. Naturally, Germany fully supports the statement by the European Union. Today I would like to focus on four complementary and pertinent points.

First, on the question of the relative position FMCT should be given in terms of the disarmament priorities, here it is important to make the fundamental observation that after the Non-Proliferation Treaty (NPT) of 1968 and the Comprehensive Nuclear-Test-Ban Treaty (CTBT) of 1996, it would appear that if we want to make real progress towards our shared objective of a world without nuclear weapons it is high time to take the next obvious step, which is to ban the production of the key components required for the production of nuclear weapons in a verifiable way. It is now 44 years after the conclusion of the NPT and 16 years after the conclusion of the CTBT (which, regrettably, has not even entered into force yet), so we can see how much time even a measured and pragmatic step-by-step approach requires. Therefore, we must not waste even more time in making this urgent next practical step forward of agreeing on banning the further production of fissile material for nuclear-weapon purposes and related matters.

To those who argue that nuclear disarmament in the form of starting negotiations on a nuclear weapons convention should have the highest priority, I would say that we are confronted here with a classic case where one would be well advised to heed the old adage not to make the best the enemy of the good. In fact, there are cases where the pursuit of the best is proclaimed precisely to prevent the good from being realized – and this in the full expectation that the best is in fact something for a very, very distant future. The obvious conclusion from this is: better a bird in the hand than two birds in the bush, particularly when it comes to nuclear weapons.

Let me make a second point, which one might regard as self-evident, but which in my experience merits recalling from time to time, because it is not always perceived clearly enough, and that is: all nuclear-weapon States and all non-nuclear-weapon States under the NPT already have an FMCT in place for themselves as a result of their adherence to the NPT; for themselves, and among themselves as a group of States, they do not need an FMCT.

Fewer than 10 States of the world are not yet subject to a corresponding legal obligation. Under these circumstances the States that do not possess nuclear weapons have a legitimate expectation that those who are not yet bound by a legal obligation not to produce the material in question — be they parties to the NPT or not — should make special and dedicated efforts to remedy this situation with a view to closing this legal gap.

My third point is that the legal obligation of the non-nuclear-weapon States under the NPT not to produce fissile material for nuclear-weapon purposes and other nuclear explosive devices has been verified by IAEA for quite a long time already. Those non-nuclear-weapon States that adhere to the modern verification standard, namely a comprehensive safeguards agreement plus an additional protocol, will approach this whole matter with the rather natural basic expectation that what is good for them in terms of verifying their obligation not to produce fissile material for nuclear-weapon purposes should, at least in principle, be good for all States when it comes to creating a corresponding obligation under an FMCT. Indeed, were this not the case, it would be difficult to see how a world without nuclear weapons can be contemplated concretely at all. Which specific provisions such a verification system will entail will, of course, be a matter of negotiation.

My fourth and final point is on the question of the treatment of stocks of fissile material for nuclear-weapon purposes, which is arguably the most difficult issue in this business altogether. We are all well aware of the existence of opposing views on this. As far as Germany is concerned, we belong among those who are convinced that for very

sound reasons of proper arms control practicality and principles there is no way around some inclusion of stocks at least in the broader framework of an agreement, because it is easy to see that, for instance, without a certain degree of transparency with regard to existing stocks a viable verification system can hardly be constructed with respect to fissile materials.

Now, exactly how and to what extent stocks would have to be covered would be precisely the kind of issue for which negotiations are meant. What we should avoid, however, is continuing to engage in a rather sterile controversy on whether or not stocks should be included in the negotiations and an eventual agreement, dressed up as a battle over positions of principle. If, on the contrary, all could commit to approaching this difficult matter with an open mind and a readiness to listen, and to taking a bona fide look at arguments put forward in negotiations, it would be much more difficult to turn this issue into a stumbling block preventing us altogether from getting into negotiating mode, as has unfortunately been the case so far. Naturally, it is States which possess such stocks that are called upon to make positive gestures in this regard, which can break the unproductive deadlock we continue to be confronted with so far.

Mr. Gil Catalina (Spain) (*spoke in Spanish*): Mr. President, before I begin my statement, allow me to wish you luck for your term of office and to inform you that, as is only natural, Spain fully supports all that was said by the representative of the European Union. I would also like to thank the delegations of Germany and the Netherlands for organizing the meeting of scientific experts on the topic which is our focus today.

On 21 June 2011, that is, almost a year ago, on behalf of Germany, Bulgaria, Mexico, the Netherlands, Romania, Sweden, Turkey and my own country, I had the honour of presenting a working paper on the FMCT in this room. The paper became an official document of this Conference under number CD/1910. Although I am referring to a joint paper, I would like to clarify, and this is very important, that what I say today reflects only the national position of Spain.

As I indicated at the time, the working paper was a public document that summarized the principal elements that should be included in a treaty halting the production of fissile material. The paper set out the unified position of the aforementioned eight countries, in favour of an immediate start to negotiations on an FMCT. In the paper we indicated that all questions of content, definition, scope, verification, duration, etc. should be left open, since they could only be clarified as the negotiations progressed.

The FMCT is not yet written, and it is up to us, the delegates present here, to produce a document commensurate with the threat that the production of fissile material for nuclear bombs and other explosive devices represents. The urgent need to begin negotiations cannot be denied. Nor can the near-irreparable damage that this stalemate is inflicting on the credibility of the Conference on Disarmament. However, despite requests from various international forums, including the high-level meetings organized by Secretary-General Ban Ki-moon in September 2010 and August 2011, we are still unable to agree a programme of work. The First Committee of the United Nations General Assembly must address this stalemate, which is undoubtedly structural, at its meeting next September, or rather October in this case, and should act accordingly.

What was said in our working paper on the FMCT failed to generate any response at the time. This unfortunately served only to reinforce this delegation's doubts as to whether there is any point in continuing to contribute to the discussion in the Conference on Disarmament. However, since this was a paper submitted by eight countries, and thus by more than 12 per cent of the member States of this Conference, I do not think it right to simply forget about it, as if it had never been submitted. For this reason, this delegation thinks it appropriate to revisit some of the issues that were addressed in CD/1910.

We began by considering what provisions should, in our opinion, be included in an FMCT as a minimum: a ban on the production of “direct use” fissile material for nuclear weapons, a ban on the transfer to nuclear-weapons-related purposes of fissile material produced for civil use before or after entry into force of the FMCT, and a ban on the reuse for military purposes of material derived from disarmament measures and assigned to civil purposes, abiding by the principle of irreversibility.

Next we focused on defining the materials that should be included in the scope of the treaty’s application and, alluding to the possibility of including transuranic elements such as neptunium and americium, noted the correlation between extending the definitions and the inherent complexity of the verification process of which we are all aware. We then considered the issue of whether or not stockpiles should be included in the scope of the FMCT, recognizing that the existence of large stocks of fissile material constitutes a clear proliferation risk.

In the paragraphs that follow we referred to the production of fissile material for other applications, including for military and peaceful purposes, provisions relating to the ban on transfers of fissile material in which countries that are not parties to the treaty are involved, provisions relating to the storage of fissile material and the dismantling or conversion of production facilities.

Lastly, we referred to transparency and verification measures, setting out the different options and commenting on the dichotomy between a comprehensive approach covering all nuclear fuel cycle facilities and a focused approach concentrated on enrichment and reprocessing facilities. We called for an open debate on this subject that encompassed factors such as security benefits, confidentiality, costs and effectiveness.

So that is a brief summary of the content of the paper, which is now languishing forgotten in the records of the Conference. The paper certainly contains some ideas worth discussing, and for this reason it would have been nice if they had been discussed. For the good of this Conference, in my opinion it would have been far better if one of the delegates were to have chastised us scathingly for the shortcomings, inaccuracies and naiveties that in their view were to be found in our paper. If we had at least had a discussion.

However, like so many other initiatives in this Conference the paper was received in a sepulchral silence. Let us hope that this silence is not a sign that this august body, as some call it, is in fact lying in state.

Ms. Adamson (United Kingdom of Great Britain and Northern Ireland): Mr. President, I want to congratulate you on taking up the presidency and also to agree with you that the session we are going to have on 14 June on revitalization is one of the more important ones of this session. I was struck by the reference by our colleague from Spain to lying in state. Some might use the word “resurrection” rather than “revitalization”, but let’s all do our best.

I am sorry that the representative of UNIDIR was not able to make a statement to start off. I think we really need all the help we can get and as many voices as we can to help us get out of the impasse we face.

I would like to start by placing the FMCT issue in the context of nuclear disarmament. The United Kingdom remains absolutely committed to the long-term goal of a world without nuclear weapons. We have a strong record of fulfilling our disarmament commitments and of meeting our international legal obligations which flow from our membership in the NPT as a nuclear-weapon State.

Many of you here are aware of the United Kingdom’s Strategic Defence and Security Review of 2010, which announced reductions in the numbers of warheads and missiles on board our submarines and a reduction in the size of our overall nuclear weapons

stockpile. Indeed, as was announced by the Secretary of State for Defence in June 2011, we have already started to introduce these significant reductions.

Since 2010, the United Kingdom has also continued to work on making further multilateral progress on the disarmament agenda. Our groundbreaking research with Norway into the verification of nuclear warhead disarmament, now in its fifth year, is one such example. This work is vital if we are to find solutions to the very real challenges, both technical and political, which we will inevitably face in any future disarmament regime. We presented our work with Norway to a number of non-nuclear-weapon States at a joint workshop in London at the end of 2011, and we shared our experiences at an event that we hosted at the meeting of the Preparatory Committee for the 2015 NPT Review Conference in Vienna earlier this month.

As a sign of our continued work on disarmament and non-proliferation issues with our partners among the five permanent members of the United Nations Security Council, we hosted the first ever meeting of the five permanent members on disarmament verification in April of this year. This allowed us to share our experiences with the United Kingdom-Norway Initiative and gave colleagues an opportunity to exchange perspectives on this issue. We should not forget that it was only as recently as 2009 that representatives of the five permanent members first met in London to discuss confidence-building measures towards nuclear disarmament, as well as key non-proliferation issues. The United States will host the third conference of the permanent members in Washington, D.C., this June. We look forward to building upon the work begun at the 2009 London conference and the 2011 Paris conference to take forward our commitments under the NPT Review Conference action plan, and to laying the foundations which will make possible mutual, balanced and verifiable reductions in the numbers of nuclear weapons worldwide.

We believe that sustainable disarmament can only be achieved through a multilateral process. The negotiation of an FMCT in the Conference on Disarmament must remain the priority of the international community if we are to take forward our shared disarmament and non-proliferation agenda and achieve our shared long-term goal of a world without nuclear weapons. An FMCT, which should verifiably ban the future production of fissile material for use in nuclear weapons and other explosive devices, must include all nuclear players if it is to fulfil the ambition of the international community that it will strengthen the global disarmament and non-proliferation framework in a meaningful way.

With a verifiable treaty in place, we will be a significant step closer to our long-term goal of a world without nuclear weapons. Without an FMCT, we still have no legally binding way of putting a stop to the production of fissile material for use in nuclear weapons. And yet another year has gone by with the Conference still unable to start negotiations. We came close in March to adopting an acceptable programme of work which included discussions on all agenda items and the start of negotiations on an FMCT. The degree of flexibility shown by the vast majority of States at this time should not be underestimated and represents a real asset in our efforts to get the Conference started again.

But, as each of us here knows full well, continued failure to do so increasingly calls into question the relevance of this institution. All of us here need to demonstrate to the international community that the Conference is still a viable disarmament forum.

The five permanent members of the Security Council have been working together and with others to find a solution that will allow the Conference to at last make substantive progress. At the members' Paris conference last year we reiterated strong support for the immediate start of FMCT negotiations in the Conference on Disarmament and committed ourselves to renewing efforts with other relevant partners. We have subsequently met on a number of occasions – in Geneva, in New York and in London. These discussions have real

value for sharing views and finding a way forward in the Conference with key partners, and we look forward to continuing them.

Meanwhile, the United Kingdom wishes to thank the German delegation for organizing the FMCT Scientific Experts Meeting side event at the Conference this week. We saw this as a useful and timely opportunity to explore some of the technical issues pertinent to a future FMCT regime. We also look forward to the events proposed by the Netherlands later in this session. We hope that this kind of momentum will help to convince any States which continue to block the adoption of a programme of work that it is not in their interests to do so.

We therefore call on all Conference members to seek to engage in a constructive manner with their colleagues across the various groupings in an effort to find ways to build understanding of the key issues and make progress towards a verifiable and internationally acceptable FMCT.

The time has come to be creative about the Conference on Disarmament. The lack of progress in Geneva risks poisoning positive progress across the wider international disarmament and non-proliferation agenda. We must all now work together to explore the art of the possible. If we fail to do this, some States may seek alternatives outside of the Conference on Disarmament. But we should be clear on this: changing the means or venue for negotiations will not prove a silver bullet to get an FMCT in place. In order to conclude the sort of comprehensive and meaningful treaty to which the international community aspires, we need the political cooperation of all the nuclear States.

As I believe events here in March showed, if we all demonstrate the flexibility and the will, we can overcome this impasse and finally make substantive progress on the negotiation of an FMCT in the Conference on Disarmament.

Mr. Kucer (Slovakia): Mr. President, let me begin by congratulating you on the assumption of this role. I wish to assure you of my delegation's full support in your work. Slovakia fully associates itself with the statement delivered on behalf of the European Union. Nevertheless, I would like to stress a few points that are of particular interest to my delegation.

Mr. President, at the outset, I would like to commend all your predecessors of the 2012 session of the Conference on Disarmament for their determination to find a consensus on a programme of work, which would allow the Conference on Disarmament to start its substantial work and to fulfil its mandate. We regret that the Conference has once again failed to commence its negotiations and that the frustration and stagnation in this forum continue. At the same time, we appreciate the proposal of Ambassador Getahun of Ethiopia for the schedule of activities of the Conference on Disarmament for the rest of this year's session, which will allow us to spend the time available to us in a focused manner.

My country is fully committed to creating a safer world for all of us. Disarmament, and in particular nuclear disarmament, is an important tool that can get us closer to this goal. Since the process of disarmament affects the vital security interests of all States, they must all actively contribute to disarmament measures, which have an essential role in maintaining and strengthening international security.

Slovakia has traditionally placed the principle of multilateralism at the centre of the international community's endeavours in the areas of nuclear disarmament and non-proliferation. We are convinced that the Conference on Disarmament is still the best place to produce global, well-founded and viable instruments in this field. We understand that there are different priorities for the negotiations in the Conference on Disarmament. In order to overcome existing differences, we need to show sufficient political will and

increased flexibility, which will be reflected in trust and confidence and will help us to bridge our views.

Slovakia continues to support immediate commencement of the negotiation of a treaty banning the production of fissile material for nuclear weapons and other nuclear explosive devices. We believe that such a treaty would be well placed in a comprehensive framework of ensured measures and instruments. In building our future global security environment, we need to look beyond individual steps and focus on a final goal of creating a world free of nuclear weapons. Progress towards this objective requires the conclusion and implementation of a set of agreements in such a framework.

There is a long history of efforts to negotiate and conclude a fissile material treaty in the Conference. The desire of the international community in this regard has been expressed on various occasions and in various forums, including most recently in General Assembly resolution 66/44, as well as in the 2010 NPT Review Conference action plan. Resolution of this issue has been long overdue. If we are serious about nuclear disarmament and nuclear non-proliferation, we cannot delay further the negotiations on this treaty. We must unblock and open an avenue and start building a road towards nuclear disarmament. The Conference would be the most natural constructor of such a road. However, if the Conference continues to fail to act, other ways and means might be sought.

The stalemate in the Conference must not prevent preparatory work for future negotiations. In this regard, Slovakia welcomed the side events organized by Australia and Japan last year. We also commend Germany and the Netherlands for organizing the FMCT Scientific Experts Meeting of the past two days, which enabled interesting discussions on issues related to a future treaty.

Slovakia considers an effective treaty banning the production of fissile material for nuclear weapons as an indispensable next practical step towards achieving our final goal. We share the view that such a treaty would offer a unique opportunity to create a non-discriminatory regime with equal obligations for both nuclear-weapon and non-nuclear-weapon States. It would also enhance nuclear material security, thus enabling us to strengthen further our common efforts to prevent such material falling into the hands of terrorists. Furthermore, it should enhance transparency and extend safeguards to nuclear facilities which are currently outside the scope of international verification. A fissile material treaty would clearly reinforce the global non-proliferation regime based on the NPT and at the same time complement the Comprehensive Nuclear-Test-Ban Treaty. We believe that these are real incentives for concluding an effective treaty banning production of fissile material.

Such a treaty should fulfil both disarmament and non-proliferation objectives. For such a treaty to be a credible instrument, we must include the principles of transparency, irreversibility and verification. We should work towards maximizing the non-proliferation and disarmament value of this instrument.

Slovakia believes that the scope of the treaty will be determined by definitions embodied in the treaty. It must be broad enough to ensure that all fissile material relevant for nuclear-weapon purposes is captured under its provisions. Moreover, it should also address other non-weapon uses of such material. In this regard, Slovakia favours further discussion on these issues, to be based on existing relevant IAEA definitions, such as a definition of “direct-use material”.

The treaty should also provide sufficient safeguards that fissile material produced for non-weapon use will not be transferred to nuclear-weapon purposes. At the same time, it should ensure that fissile material extracted from nuclear weapons or declared as excess to military use will not revert to weapon purposes. There exist verification models, such as those of IAEA, which can offer suitable solutions for various aspects of fissile material

verification. It is important that there be the same verification goal in every country, which would ensure that no fissile material is produced for weapon purposes. In addition, addressing existing stockpiles of fissile material remains a difficult issue and can only be solved through negotiations.

Setting strict preconditions for negotiations with the aim of defining their scope and prejudging their outcome cannot make it more interesting or bring us closer to commencing such deliberations. On the contrary, only real negotiations can show which issues can be addressed in the negotiations, and in what way, thus generating a negotiated outcome. So we need to commence dealing with this subject as soon as possible. We are of the view that starting negotiations on one issue will not mean the neglect of the others.

Mr. Lusiński (Poland): Mr. President, first of all, let me congratulate you on the assumption of the post of President of the Conference on Disarmament. I would like to assure you of Poland's support for your efforts during this assignment.

Poland shares the priority given by the European Union to the negotiation in the Conference on Disarmament of a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices. In our opinion the Shannon mandate contained in document CD/1299 of 24 March 1995 would still be a good departure point for the process.

An FMCT would complement and reinforce the existing disarmament and non-proliferation framework. Moreover, it would be an important contribution to global nuclear security and to the prevention of the potential use of fissile material by non-State actors.

Taking into account the importance of moving forward the Conference's debates on the FMCT, I would like to praise the efforts undertaken by Germany and the Netherlands in that regard. Yesterday and the day before yesterday, we had an opportunity to take part in the FMCT Scientific Experts Meeting organized on the margins of the Conference by Germany and the Netherlands. In 2011 similar events were organized by Australia and Japan. These meetings allowed experts to exchange views and discuss different, often not easy practical and technical issues concerning fissile material. They add to the process of building confidence and mutual understanding.

In our opinion these debates have a chance to fuel the deliberations of the Conference, which could be pursued with tangible results in the plenary, as well as in any subsidiary body. Here I would like to draw your attention to the fact that the Conference's rules of procedure allow for negotiations to take place in the plenary itself. Last year's plenary discussion on the FMCT issue showed that a substantive discussion at this level is possible. We should avoid finding yet another excuse for us to get stuck in the current stalemate.

Mr. President, we look forward to discussing with all Conference members possible arrangements that will allow us to start substantive work on an FMCT in the Conference. Again, let me thank you for the kind words addressed to my predecessors. We will receive the letter and pass it on today.

Mr. Simon-Michel (France) (*spoke in French*): Mr. President, since this is the first time that I am taking the floor under your presidency, allow me to congratulate you on taking the Chair of the Conference on Disarmament and the excellent cooperation we have seen between the six Presidents of the session, which we owe to your enlightened stewardship. France fully supports the statement that has just been delivered on behalf of the European Union.

I have already highlighted last week the importance that my country attaches to the immediate start of negotiations on a treaty to ban the production of fissile material for nuclear weapons, on which you are inviting us to express our views today. What is involved

is a response to our international commitments under Security Council resolution 1887, General Assembly resolution 66/44, and, for the vast majority of us, action 15 of the 2010 action plan adopted at the Review Conference of the parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). It is a question of moving forward with the implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons.

Beyond that, a treaty to ban the production of fissile material for nuclear weapons is the next logical step in nuclear disarmament. The Comprehensive Nuclear-Test-Ban Treaty (CTBT) enabled us to halt the qualitative improvement of weapons. The FMCT will enable us to reduce the numbers of weapons by banning the production of the fissile material which constitutes the raw material for weapons. This treaty will also have an impact in the fight against proliferation. It is the only way to make progress in multilateral nuclear disarmament. Fissile material is the raw material for weapons. It is on this logical basis that we should place our primary arguments in terms of disarmament, adopting approaches that address the problem at the source and are easier to implement than other weapons-based approaches.

The reflection is ripe for the launch of negotiations. This is the logical follow-up complementing the NPT and the CTBT in the field of nuclear disarmament. The question of whether or not to ban the production of fissile material has been on the table since the outset of the cold war. The discussions in the Conference on Disarmament since the start of the 1990s have allowed for deeper reflection. Since the adoption of document CD/1864, the UNIDIR seminar in 2010, the side events organized by Australia and Japan and the recent meeting of scientific experts organized in the past few days by Germany and the Netherlands have provided opportunities for in-depth and high-quality exchanges. Today we must continue to move forward. None of the other four principal topics raises such expectations or has been the subject of such well-developed preliminary exchanges.

Many questions are of course still open to debate. They are complex. Negotiation will be needed to resolve them. Neither discussions on the adoption of the programme of work nor expert seminars can serve as a substitute for this process of negotiation. With regard to the scope of the treaty, for example, there is the key question of the definition of fissile material and what types of uranium or plutonium should be included in the scope of this definition. The activities encompassed by “production” of fissile material for weapons purposes and the definition of related facilities must also be clarified.

The issue of verification arises largely as a result of these problems of definition and scope. It has been discussed in numerous forums, including at the side event organized by Japan last year. This issue needs to be addressed from a realistic perspective if the system is to be effective while at the same time responding to non-proliferation obligations, defence concerns and, of course, the cost constraints, which must be tolerable. This question brings others in its wake, including the question of which authority should be in charge of verification and how checks already performed at the regional level, such as, in France’s case, those performed in association with EURATOM, should be recognized.

These are complex points. They are also sensitive ones, both militarily and financially, as the checks will place demands on the industry, but they are not questions for which there is no solution. Credible and realistic verification mechanisms are possible. Lastly, the conditions governing the entry into force of the future treaty will also need to be discussed.

I would like to take this opportunity to thank Germany and the Netherlands for having organized the meeting of experts over the past two days, which provided experts from France with an opportunity to give a detailed presentation about our experience in the comprehensive and irreversible dismantling of the facilities used for the production of fissile material for nuclear weapons purposes at Pierrelatte and Marcoule. We endeavoured

to recount, as transparently as possible, both the successes and the challenges — whether technical or financial — of our experience.

My country has for some time sought to emphasize that concrete actions and commitments are worth more than words. Without waiting for the start of these negotiations, my country halted the production of fissile material for nuclear weapon purposes and dismantled its production facilities in conditions of unprecedented transparency. Our colleagues in the Conference were invited to visit the former facilities at Pierrelatte and Marcoule, as some of you in this room will recall. We call on all States that have not already done so to respect the moratorium on the production of fissile material for nuclear weapons purposes. However, a moratorium is not enough, and the impasse in the Conference on Disarmament cannot last any longer. The time for reflection is past; we must now get down to the business of negotiation.

Mr. Vallim Guerreiro (Brazil): Mr. President, Brazil warmly congratulates you on your assumption of the presidency of the Conference on Disarmament and pledges its full cooperation in your efforts to steer our work during your tenure. We also take this opportunity to express our appreciation to your predecessors, the ambassadors of Ecuador, Egypt and Ethiopia, for their courageous endeavours towards making us agree on a programme of work for the Conference. Unfortunately, the result of those relentless endeavours fell short of the expectations of many, and now we find ourselves engaged in an exchange of views on the items of our agreed agenda. Although we share fully the view of many who said that these discussions are no substitute for a programme of work, we see merit in this exercise, not least because it may help member States identify where common ground exists which could enable the commencement of substantive negotiations at some future point in time. Meanwhile, we encourage you, as our President, to continue to try to bring about the outcome we have been seeking for so many years.

Brazil did not take the floor at last week's segment devoted specifically to nuclear disarmament. Allow me, therefore, at this juncture, to make short comments on both issues — nuclear disarmament and the FMCT, today's focus of attention — since it is generally recognized that there is, or should be, a direct and objective link between them. At last month's meeting in Vienna of the Preparatory Committee for the 2015 NPT Review Conference, Brazil stated that the international community had been wise enough to ban two categories of weapons of mass destruction: biological and chemical. Yet it has been lackadaisical at best about the deadliest of all. Nuclear weapons were first developed to put an end to a war; then arsenals increased dramatically to deter an enemy. Today there is no war which can be ended by means of nuclear weapons, and there is no longer any enemy to deter. Has there ever been a more propitious time to wean nuclear-weapon States from the senseless addiction to nuclear weapons?

The world has always been and will always be a dangerous place. Doctrines purporting to justify the possession of nuclear weapons by the existence of a safe world are simply not credible. To await the serendipitous coming into being of a Kantian perpetual and universal peace would be tantamount to perpetuating nuclear weapons into eternity. This is contrary to the main objective of the NPT, which is the total elimination of nuclear weapons; to the principal mandate of this Conference, as defined by the first special session of the General Assembly devoted to disarmament; and to the consciousness of humankind as a whole. Nuclear-weapon States should understand once and for all that it is in the interest of the international community, including their own interest, to commence forthwith the negotiation of a nuclear weapons convention. We do not delude ourselves regarding the fact that the process of eliminating nuclear weapons will take time, that setbacks are to be expected, and that the complexities inherent in moving towards very low numbers and eventually to zero have to be acknowledged. Nevertheless, there must be light at the end of the tunnel. We need a horizon before us with predictable timelines, however

flexible. What we ought to understand is that an international order based upon the entitlement of a few and the disenfranchisement of many is simply not sustainable in the long run.

It has been pointed out time and again that the next logical step for this Conference to take is the negotiation of an FMCT. We do not take issue with that assertion. But we should have very clear in our minds what it is that the FMCT is a logical step towards. It is our view that it would be easier to come to an agreement on a programme of work in this Conference if it were framed in such a manner as to make it clear that the negotiation of an FMCT would immediately and automatically be followed by the negotiation of a nuclear weapons convention. An FMCT in place is a condition for the elimination of nuclear weapons. It is not, and it cannot be, an end in itself.

Some people have argued that an FMCT in and of itself would already represent an important disarmament measure. The question of the inclusion of present stocks of fissile material in the scope of a future FMCT is relevant to this debate. Judging from the information available about the present estimated stockpiles of nuclear material in the nuclear-weapon States, in particular information provided by the International Panel on Fissile Materials, if its stocks are not included in the scope of the treaty it would be like trying to empty an Olympic swimming pool using a thimble, whereas if present stocks were prevented from being used for the refining of nuclear weapons it would be the same as emptying the pool with a bucket. Let me make myself very clear. Brazil is ready to engage seriously in negotiation of an FMCT without any preconditions. It will, however, be adamant about including existing stocks of nuclear material in the scope of the prohibition enshrined in the treaty.

Non-nuclear-weapon States already have a verifiable FMCT in place. The comprehensive safeguards agreements they have entered into with the International Atomic Energy Agency (IAEA) in compliance with their obligations under article III of the NPT are intended exactly to ensure that no fissile material under their jurisdiction will be diverted for use in nuclear weapons or other nuclear explosive devices. A future FMCT will not affect them in concrete terms. According to the comprehensive safeguards agreements, IAEA verifies not only the facilities where fissile material is produced, enrichment and reprocessing facilities, but also facilities where fissile materials are used, such as, for instance, nuclear power plants and research reactors. A future FMCT should, in our view, adopt the same verification approach with regard to nuclear-weapon States, or else nothing would prevent material already in use in peaceful activities from being diverted to the refining of nuclear weapons. My delegation is ready to discuss these and other relevant technical issues if and when the negotiation of an FMCT gets on track.

Mr. Vasiliev (Russian Federation) (*spoke in Russian*): Mr. President, speaking as the coordinator of the Eastern European Group, I would like to welcome you to the Chair and wish you success on behalf of the group. And in my national capacity would like to express special gratitude to Finland and its neighbour Sweden for providing the venue and the atmosphere which enabled the Russian national hockey team to win the world championship recently. As you will understand, in these circumstances you can count fully on our all-round support in your work.

Russia completely halted the production of fissile material for nuclear weapons over 15 years ago. Weapons-grade uranium has not been produced in our country for more than 20 years. The important “intermediate” steps on the path towards the conclusion of an FMCT include a variety of efforts which make it possible to substantially lower the risk of the proliferation of sensitive materials, first and foremost highly enriched uranium.

Our programme for the consolidation and conversion of highly enriched uranium, which began in 1999, continues. In the last two years alone, since 2010, 1,320 kilograms of

unused highly enriched uranium (uranium-235) have been converted into low-enriched uranium.

Russia has long since decided that foreign deliveries of fuel for nuclear research reactors will involve only low-enriched uranium. Specifically, only low-enriched uranium is currently supplied for nuclear research reactors in the Czech Republic, Hungary, Ukraine, Uzbekistan and a number of other countries.

Together with the United States, a programme for returning to the Russian Federation highly enriched uranium from nuclear research reactors of Russian design — both fresh and irradiated — has been under way since 2002, accompanied by the conversion of the cores of these reactors from highly enriched to low-enriched uranium. In all, 604 kg of fresh and 986 kg of irradiated highly enriched uranium has been removed from 15 States under the programme. Fuel is scheduled to be removed from Viet Nam, Ukraine and Uzbekistan.

In cooperation with the United States, an evaluation of the technical and economic feasibility of converting six nuclear research reactors from highly enriched to low-enriched uranium is being carried out in Russia.

In this way, as you can see, efforts are being made to cut down the amount of fissile material which can be used for weapons purposes. Of course, we realize that this cannot be a substitute for a legally binding agreement.

Russia supports the agreed recommendations of the 2010 NPT Review Conference and is ready to work on an FMCT in the Conference on Disarmament on the basis of the Shannon mandate within the framework of an agreed programme of work. We have already had an opportunity to outline our view of the basic parameters of an eventual treaty during the earlier discussions, so I will not repeat it today.

We consider the Conference to be the only possible forum for the substantive examination of the parameters of a future FMCT, and in particular for the holding of negotiations on the treaty. The establishment of parallel forums, we are convinced, would seriously reduce the treaty's effectiveness and its value as a major multilateral measure for strengthening the nuclear non-proliferation regime, since the negotiating process would be unlikely to encompass all the countries with nuclear capabilities.

The options for moving the FMCT issue forward being examined under the auspices of the United Nations General Assembly — the establishment of a working group, groups of technical experts or groups of governmental experts — are in our view hardly likely to help reach the goal of concluding a universal, effectively verifiable treaty which will satisfy the national interests of all interested States. Nevertheless, we are ready to continue to look for a way out of the present situation, including steps taken in accordance with United Nations General Assembly resolution 66/44 on an FMCT.

We consider that in recent years we have made significant progress in examining the basic parameters of an eventual treaty and in understanding one another's positions. This was helped by the intensive substantive discussions in the Conference on Disarmament, and the technical seminars organized by Australia and Japan last year. We note the utility of continuing efforts by interested States to take similar measures with the participation of scientific experts on various technical aspects of the treaty. In this regard we support the initiative of Germany and the Netherlands to organize meetings on the subject here in Geneva.

At the same, we re-emphasize that such meetings cannot replace a negotiating process.

In conclusion, let me express support for the call for realism made by Canadian Ambassador Elissa Golberg and several other colleagues. The fact that negotiations are started on an FMCT will not preordain their eventual outcome or the specific content of the future treaty. All the issues related to the treaty will be addressed during the negotiations and by means of the negotiations. We will agree only on what we can agree on. States' interests will be protected by the principle of consensus in the adoption of all the decisions of the Conference on Disarmament.

Mr. van den IJssel (Netherlands): Mr. President, let me start by welcoming you back to Geneva and assuring you of our full support during your presidency, both as present coordinator of the Western Group and in our national capacity. Also, our thanks go to UNIDIR for the preparatory work for this meeting, and we have welcomed their speaking to us in person. And, of course, we fully associate ourselves with the speech made earlier by the representative of the European Union.

As the Netherlands delegation has made clear on numerous occasions in the past, the Netherlands attaches the utmost priority to the early start and conclusion of negotiations on a verifiable fissile material cut-off treaty (FMCT). We are convinced that an FMCT would serve the security interests of all members of the Conference and the wider international community, both from a nuclear disarmament perspective and for reasons of promoting nuclear non-proliferation. Like many others in this hall, I cannot imagine any progress towards a world free of nuclear weapons without first banning the production of fissile material for nuclear weapons. We have always been in favour of a step-by-step approach as the best way to achieve nuclear disarmament. Negotiations on an FMCT would therefore constitute the next logical step for the Conference and the world community if it takes its mandate on nuclear disarmament seriously. We see an FMCT as an essential pillar to complement the existing nuclear treaty regime. In line with General Assembly resolution 66/44, the Netherlands is ready to discuss all options for the commencement of negotiation of an FMCT inside but also outside the Conference. In our view the all-or-nothing approach advocated by some States, whereby all attention should be focused on a treaty banning the use and possession of nuclear weapons and intermediate steps disregarded, is neither credible nor realistic.

We regret that the attempt of the Egyptian President of the Conference to deal with elements of a multilateral treaty banning the production of fissile material for nuclear weapons in the Conference failed. And let me stress that, although we preferred a strong formulation like the one used in document CD/1864, we were ready to accept as a compromise the formula used in document CD/1933. For us it was important that this formula still offered a real perspective for the start of negotiations. Unfortunately even this compromise was not acceptable.

We still fail to see compelling reasons for further delay of the start of these negotiations. The subject has been on the table of the international community for at least 20 years. A lot of groundwork for an FMCT has already been undertaken. Over the years we have discussed the topic both formally and informally in the Conference. A lot of work has also been done outside the Conference, and this has been very well documented. A good example was the side events organized by Australia and Japan that took place last year. The meeting of experts that the Netherlands organized together with Germany during the past two days also showed that a lot of thinking has been taking place already and that the time has come to translate all this technical and scientific information into a politically viable treaty text. It also showed that we can only benefit from the continued input of scientific and technical experts in the course of future negotiations. We intend to organize a second round of these meetings, in the same format but focusing on a different set of questions, in the last week of August here in Geneva. The dates will be 28 and 29 August.

Please allow me to say the following about the content of an FMCT. As has been illustrated on numerous occasions, including in the 2010 NPT Review Conference action plan, there is a wide international consensus on the need to put a cap on the production of fissile material. For the Netherlands the flexible Shannon mandate is still a good starting point for our negotiations. We are flexible as far as the inclusion of pre-existing stocks of weapons-grade fissile material in future negotiations is concerned. We are of the belief that the Shannon mandate is a sufficient basis for raising this issue in the context of negotiations. A flexible or phased approach, as proposed by Brazil two years ago, could also be an option. A future FMCT should aim for maximum transparency and verifiability. The International Atomic Energy Agency and its safeguards system should play a role in this respect. A treaty should include, apart from banning production, a ban on transfers, acquisition and related assistance activities.

It is clear that we may have different views on what an FMCT in its final version should look like. In that respect an FMCT is not different from many other international instruments, including the ones which have been negotiated successfully in this hall. But as with other treaty negotiations, all States will have the opportunity to defend their national interests during the negotiations. All individual States will have to decide at the end of the process whether or not they can support and sign up to the result. So there is only one thing to do. Let us start.

Mr. Demiralp (Turkey): My country's position on arms control and disarmament, as elaborated on various occasions in the past, is well known to the Conference. Nevertheless, I would like to make a few additional comments.

First, allow me to stress that Turkey's security policy excludes the production and use of all kinds of weapons of mass destruction. We advocate global overall disarmament and support all efforts aimed at sustaining international security through multilateral arms control, non-proliferation and disarmament. Turkey is a party to all international non-proliferation instruments and export control regimes and spares no effort to contribute to their realization and effective implementation.

Allow me, having said this, to stress that the Conference on Disarmament as the sole multilateral negotiating forum has an important role to play. Therefore Turkey hopes to see that the Conference is revitalized with its present membership, the concerns of all member States are addressed, the current stalemate is overcome and, through a consensual programme of work, serious work on all core issues starts.

Like many other delegations here, the Turkish delegation is of the conviction that the Conference possesses the mandate, membership and rules of procedure to discharge its functions. The beginning of negotiations on an FMCT will be a significant building block in the process of nuclear disarmament and non-proliferation. It will further pave the way for parallel advances on the other core agenda items. To ensure a good start to the negotiations, all nuclear-weapon States should, we believe, declare and uphold a moratorium on production. Eventually a successfully negotiated FMCT would introduce a quantitative limit on the fissile material that is designed for use in nuclear weapons and other nuclear explosive devices. Nevertheless, Turkey is of the opinion that FMCT negotiations should be comprehensive and non-discriminatory. Therefore the future treaty should include the issues of stockpiles and effective verification. It goes without saying that all national concerns regarding a possible treaty can and should be brought to the table during negotiations.

A flexible approach could allow us to move ahead without spending too much time on the modalities of a mandate. Such an approach would not prejudge the outcome of negotiations and could also facilitate our target of reaching a consensus. The issue of an FMCT is technically very complex. In this regard we followed with interest the meetings of

scientific experts held this week. Such intellectual exercises help us better understand this issue apart from the political controversies.

Ms. Issa (Syrian Arab Republic) (*speak in Arabic*): Mr. President, at the outset I would like to convey my congratulations on your taking the Chair of the Conference on Disarmament and wish you success in your work. We are confident that your experience will make a positive contribution to the progress of our work. I would also like to express my appreciation for the constructive efforts of the Presidents of the Conference before you this year.

We re-emphasize the commitment of Syria to the positions of the Group of 21, an organization with 33 member States, in other words more than half the number of States members of the Conference. The Group of 21 has repeatedly underscored that its highest priority is nuclear disarmament, since nuclear weapons constitute the greatest threat to international peace and security. Nuclear disarmament and non-proliferation are interrelated processes; we therefore emphasize the need to work both on disarmament and on non-proliferation transparently and on an equal basis in order to ensure that the results meet the expectations of the international community. Consequently, the negotiation of a treaty banning the production of fissile material for nuclear weapons must form part of the nuclear disarmament perspective, not merely non-proliferation; in other words, such a treaty must cover stockpiles, otherwise it will be lacking in substance.

The objective of the negotiation of any topic in the Conference must be complete disarmament, and the negotiation of a treaty banning the production of fissile material for nuclear weapons must seek to achieve that. However, leaving stockpiles out of this process will maintain the status quo; changing the status quo must be the goal of negotiation on any topic in the Conference. Moreover, such a treaty must be negotiated in the Conference and nowhere else, since the Conference is the sole multilateral negotiating body in the field of disarmament. Such a treaty must be negotiated through a comprehensive and balanced programme of work that takes into account the security interests of all member States without giving preferential treatment to any of the four core issues on the agenda at the expense of the others. Any meetings on the sidelines of the Conference have no binding impact on member States of the Conference and do not take the place of negotiations held in the Conference.

We do not agree with those who say that the issue of a treaty banning the production of fissile material is ripe for negotiation. Some States are trying to promote this idea having developed a large stockpile of fissile material, sufficient to blow up the world. In our view, the issue that is ripe for negotiation is nuclear disarmament, because the fact that nuclear weapons continue to accumulate in the arsenals of a limited number of States will lead to increased tension, fuel the arms race and pose the constant threat and danger of their use. This applies to the Middle East, where Israel enjoys preferential treatment and continues to develop and produce fissile material for nuclear weapons. Moreover, it possesses a huge arsenal of nuclear weapons with which it threatens the entire region. It refuses to accede to the Treaty on the Non-Proliferation of Nuclear Weapons and to subject its facilities to international monitoring, while it pursues dangerous policies such as aggression, invasion and occupation amid international silence.

It is a matter of concern that some States deal with disarmament and non-proliferation on the basis of political considerations and self-interest, double standards and patent bias in favour of Israel. We call on these States to adhere to their commitments under the NPT and to desist from providing assistance, support and encouragement to Israel in obtaining and developing nuclear weapons. We call on the international community to take action to bring Israel to accede to the NPT as a non-nuclear party and to subject its nuclear facilities to international monitoring, since peace and stability in the Middle East region will not be achieved while Israel possesses nuclear weapons. In this connection, we recall

the supreme importance of implementing the resolution emanating from the 1995 NPT Review Conference, calling for the establishment of a Middle East zone free of nuclear and all other weapons of mass destruction. We urge the Secretary-General of the United Nations, the sponsors of the resolution and the facilitator of the 2012 conference to make every possible effort to ensure that the conference succeeds.

In conclusion, I would like to emphasize that my country is ready to cooperate in constructive efforts with member States and the Presidents of the Conference this year.

Ms. Mehta (India): Mr. President, this is the first time that my delegation is taking the floor under your presidency, and therefore please allow me to congratulate you on taking up this position and assure you of the full cooperation of my delegation. We look forward to a complete cycle of discussions under your leadership, and I thank you for this opportunity to make brief remarks on the subject of our plenary today.

Without diminishing in any way the priority we attach to nuclear disarmament, my delegation supports the negotiation in the Conference on Disarmament of a non-discriminatory and internationally verifiable treaty banning the production of fissile material for nuclear weapons and other nuclear explosive devices that would meet India's national security interests.

India was one of the original co-sponsors of General Assembly consensus resolution 48/75, adopted in 1993, which envisaged the FMCT as a significant contribution to nuclear non-proliferation in all its aspects. Our position on the FMCT has been consistent since 1993. We joined consensus on the establishment of an ad hoc committee on FMCT in the Conference in 1995 and again in 1998. Similarly, India did not stand in the way of consensus in May 2009 on document CD/1864, which, *inter alia*, provided for the establishment of a working group on FMCT as part of the Conference's programme of work. India remains committed to participating in the FMCT negotiations in the Conference. India is a nuclear-weapon State and, as a responsible member of the world community, would approach FMCT negotiations as such.

India was able to join the 1993 international consensus on the FMCT as that reflected with clarity the common understanding of the objective of concluding a universal, non-discriminatory and internationally verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices.

India has been fully and consistently supportive of the mandate contained in General Assembly resolution 48/75, which was reiterated in 1995 following the adoption of document CD/1299 and then again in 1998 and 2009. India does not favour reopening this mandate.

While we share the disappointment with the continuing impasse in the Conference, we believe that this is not due to the Conference or its rules of procedure. All member States should cooperate to provide political impetus to the multilateral disarmament agenda, which includes early commencement of negotiations on an FMCT in the Conference on the basis of the agreed mandate. The Conference's mandate is to negotiate instruments of universal application. Given the Conference's vocation, it is essential that all relevant countries participate in the negotiations and contribute to their successful outcome. As an essential stakeholder in this process, India is prepared to work with other countries towards this end.

While I have the floor, I also want to thank the distinguished Ambassador of Germany for his brief remarks on the FMCT Scientific Experts Meeting co-hosted by Germany with the Netherlands this week. In our view, the objective of this exercise is solely to promote understanding of some technical issues that may be pertinent to FMCT negotiations in the Conference on the basis of the Shannon mandate. Naturally, given the

constraints of format and participation, and as noted by Ambassador Hoffmann this morning, the discussions at such side events can be neither negotiations nor pre-negotiations and cannot prejudge the substantive positions of delegations on technical issues during negotiations when negotiations take place.

Mr. Wilson (Australia): Mr. President, may I start by expressing regret that Ambassador Woolcott could not be here today to congratulate you on your assumption of the Conference's presidency and to assure you of Australia's support in your work and your efforts?

It is a matter of long-standing record that Australia supports the immediate commencement of negotiation of a treaty banning the production of fissile material for use in nuclear weapons or other nuclear explosive devices in accordance with the 1995 report of the special coordinator (CD/1299) and the mandate contained therein.

Since 2010, Australia has circulated in the Conference documents CD/1895, CD/1896, CD/1906, CD/1909 and CD/1919. All demonstrate Australia's substantive and practical support for this proposed instrument. I will not seek to summarize the views contained in those documents. However, I would like to take this opportunity to make some observations. First, I want to join others in thanking Germany and the Netherlands for hosting in Geneva, over the last two days, a meeting of scientific experts on technical issues related to a future treaty. For Australia, the meeting underlined the fact that effective verification will be a complex technical task. However, the practical experience of existing safeguards and also of States which have decommissioned fissile material production facilities or converted them to civilian use shows that it is indeed achievable.

We were also struck by those at the meeting who argued that the process of establishing a treaty regime would be made easier by more transparency now from the nuclear-weapon States and from other States with nuclear weapons. Underlining our strong advocacy of increasing transparency of information related to nuclear weapons, including in respect of fissile material, Australia and our Non-Proliferation and Disarmament Initiative partners submitted a working paper — working paper 12 — to the recent meeting of the Preparatory Committee for the 2015 NPT Review Conference in Vienna with a detailed and practical proposal in this regard.

Secondly, and more generally, I would like to restate why a treaty banning the production of fissile material for use in nuclear weapons or other nuclear explosive devices remains important to Australia. Such a treaty has the potential to deliver substantial security benefits, furthering the twin goals of nuclear disarmament and non-proliferation. By capping the amount of fissile material available for weapons use, such a treaty would be an utterly essential step towards irreversible nuclear disarmament. It would also further tighten controls on fissile material. And, by imposing a quantitative limit on the amount of fissile material available for weapons use, it would complement the Comprehensive Nuclear-Test-Ban Treaty, which impedes development of nuclear weapons.

In addition to other confidence-building measures in the field of nuclear disarmament, a global moratorium on the production of fissile material for use in nuclear weapons or other nuclear explosive devices would be a significant step in the right direction, and Australia continues to call for it. But irreversibility, verifiability and transparency ultimately require a treaty.

The polemic surrounding this proposed treaty is a source of considerable regret. No State party to the Conference genuinely espousing the twin goals of nuclear disarmament and non-proliferation has questioned the necessity of controlling fissile material for weapons purposes. In this regard, it is important to emphasize that Australia does not consider a treaty banning the production of fissile material for use in nuclear weapons or other nuclear explosive devices to be an end in itself. After the conclusion and entry into

force of the treaty, the work to achieve a world without nuclear weapons will obviously continue.

I would also like to emphasize that Australia does not believe that the treatment of past production of fissile material, which is a legitimate question, should be the impediment to negotiations. It is regrettable that there has been a narrative to which Australia does not subscribe. That issue is the impediment to negotiations.

Australia remains of the view that the Shannon mandate, contained in document CD/1299, carefully sets out the parameters for the discussion on scope which will need to occur in negotiations and would allow the widest possible range of actors to come, sit and talk at the negotiation table.

Those paragraphs of document CD/1299 which address scope are regularly scrutinized here. But I would like to draw the Conference's attention to the overlooked penultimate paragraph of document CD/1299. This is what Ambassador Shannon wrote: "Delegations with strong views were able to join consensus so we could all move forward on this issue. This means that an ad hoc committee on cut-off can be established and negotiations can begin on this important topic. This has for some time been the common objective of all delegations of this Conference." This is a simple but elegantly worded set of statements; it is both a description of willingness in the Conference to reach a compromise to allow negotiations on a common objective, and an expression of faith in the capacity of those in the Conference to reach further compromises through negotiations.

It is worth reflecting on the sentiments underlying Ambassador Shannon's words, particularly when we might be tempted to view issues which should be the subject of negotiations as obstacles in our way. If we are ever to achieve a world without nuclear weapons, recalling Ambassador Shannon's words is the least we can do.

Mr. Fasel (Switzerland) (spoke in French): Mr. President, as this is the first time that my delegation is taking the floor during your term in office, allow me to congratulate you on your taking the Chair and assure you of our full support for your efforts. Switzerland remains committed to the negotiation of a treaty banning the production of fissile material for nuclear weapons on the basis of the mandate drawn up in 1995, that is, a treaty that is multilateral, non-discriminatory and internationally and effectively verifiable. Yesterday and the day before the disarmament community in Geneva had the opportunity to take part in a technical seminar that proved very fruitful and for which I would like to thank Germany and the Netherlands. Allow me now to raise here a few points of a political nature.

The adoption of a treaty banning the production of fissile material for nuclear weapons would serve to strengthen substantially the existing nuclear non-proliferation regime consisting of the Treaty on the Non-Proliferation of Nuclear Weapons and the Comprehensive Nuclear-Test-Ban Treaty. The adoption of such a treaty would allow for the establishment of a more inclusive regime in that it would unite States parties to the NPT and countries that are not parties to this regime within a common framework. Such a treaty would also partially correct the discriminatory nature of the NPT by extending the ban on the production and transfer of fissile material for nuclear weapons to all States. A treaty banning the production of fissile material for nuclear weapons would also have the advantage of transforming the existing voluntary moratoriums on the production of fissile material into legally binding, permanent and verifiable obligations. Lastly, it would help to curb the rise in military nuclear capacity under way in several nuclear-weapon States. We wish to emphasize, however, that a treaty banning the production of fissile material alone would not be sufficient. An approach limited solely to the non-proliferation aspect would not enable us to respond to a number of the challenges we face. Furthermore, an approach

of this kind might not enjoy the necessary support, and its utility would therefore be limited.

We think it imperative that a treaty of this kind should encompass stockpiles of fissile material. In this way, not only would it contribute to non-proliferation but it would also constitute a very concrete step forward in nuclear disarmament. Such a treaty should provide for the reduction and subsequent elimination of existing stockpiles of fissile material for nuclear weapons. Such an approach would be in line with the different obligations and different commitments assumed in the area of disarmament and with all the promises made with a view to achieving a nuclear-weapon-free world. We should also highlight the fact that existing military stocks of plutonium and highly enriched uranium are quite considerable. These stocks amount to several hundred tons and would be sufficient to produce tens of thousands of nuclear warheads. Thus it is clear that a treaty that did not encompass stocks would not only fail to contribute to nuclear disarmament but would also be ineffectual in preventing the vertical proliferation of these weapons.

This is not the only reason why the treaty should include existing stocks. There are other reasons of a technical nature. Therefore, in order for us to be sure that this treaty will provide the much-needed cornerstone, it must include robust verification procedures. Such procedures would need to provide far more effective guarantees in terms of the safety and security of nuclear material. Such a treaty would also mean a strengthening of institutions that would pave the way to a nuclear-weapon-free world. Lastly, we believe that addressing the question of fissile material and the approach to be adopted in relation to stocks of this material will be the best way to assess whether all nuclear-weapon States have the genuine will to advance along the path of disarmament.

We believe that the Conference on Disarmament remains the best place to negotiate such an instrument. This is because it brings together the States that will be expected to make the necessary concessions in this area. The Conference's institutional framework will make it possible to protect the legitimate interests of all States taking part in the negotiations. The possibility of conducting negotiations of this kind outside the framework of the Conference on Disarmament should be contemplated only if we are sufficiently confident that reasonably satisfactory results could be achieved.

Mr. Wu Haitao (China) (*spoke in Chinese*): Mr. President, first of all I would like to welcome you back to the Conference and congratulate you on assuming the presidency. I am confident that with your wealth of experience and wisdom you will be able to lead the work of the Conference forward. The Chinese delegation will actively support you in your work. We would also like to take this opportunity to express our appreciation for the efforts made by the former President, Ambassador Getahun.

The negotiation and conclusion of an FMCT is one of the main issues in the international arms control process and the work of the Conference. Concluding such a treaty and imposing a comprehensive ban on the production of fissile material for nuclear weapons or other nuclear explosive devices will help to promote nuclear disarmament and non-proliferation and represents an important step towards the complete prohibition and thorough destruction of nuclear weapons. China has consistently supported the idea that the Conference should negotiate and conclude as soon as possible a non-discriminatory, multilateral, internationally and effectively verifiable FMCT.

As of now the Conference has not yet begun negotiations on the core issues, including negotiations on an FMCT. The parties have intensely debated the question of how to carry forward the work on these issues and have made a number of observations and recommendations. True, there are differences over some issues, but I think most of my colleagues still believe that the Conference is the most appropriate forum in which to negotiate an FMCT.

The Chinese delegation still has faith that the Conference can negotiate an FMCT, and our views on how to carry the negotiations forward are as follows.

First, we should advance on all aspects of the work of the Conference. An FMCT is an important issue, but it is certainly not the only one. Practically speaking, the parties disagree about priorities within the international arms control and disarmament agenda and have many different ideas about how to prioritize issues in the Conference. The four core issues of the Conference, namely nuclear disarmament, an FMCT, prevention of an arms race in outer space and negative security assurances for non-nuclear-weapon States, all exert important influence over the advancement of the international nuclear disarmament process. It is only by adopting a spirit of mutual respect and consultation on an equal footing, giving full attention to each other's concerns and making progress on all issues in the Conference through consensus that we will be able to create suitable conditions for starting FMCT negotiations.

Second, we must support the negotiation of an FMCT within the Conference. At the first special session of the United Nations General Assembly devoted to disarmament, the Conference on Disarmament was established as the sole multilateral disarmament negotiating body, and it has successfully negotiated important arms control treaties such as the Chemical Weapons Convention and the Comprehensive Nuclear-Test-Ban Treaty. Multilateral arms control treaty negotiations cannot take place without broad participation by the relevant parties. The current membership of the Conference includes all countries of significant relevance to and influence on an FMCT. It is only by negotiating treaties within the Conference that we will truly be able to fulfil our objectives of nuclear disarmament and non-proliferation.

A few days ago, Germany and the Netherlands organized a meeting of FMCT scientific experts in Geneva. China takes note that, for some time now, various countries have been making attempts to advance the negotiation of an FMCT. In our view, these attempts should not supplant treaty negotiations within the Conference.

Third, we should move pragmatically ahead with preparations for negotiation. In recent years, the Conference has held many rounds of formal and informal discussions on the issue of an FMCT and has achieved good results. If we can discuss more thoroughly by building on this earlier work, and reach consensus on broad issues such as the basic structure, layout and core provisions of the treaty, this will help the parties understand what direction future FMCT negotiations will take, advance discussions on specific aspects of the treaty and enhance mutual understanding and trust.

Fourth, we should set reasonable, feasible objectives for the negotiations. In 1995, the Conference was mandated by consensus to negotiate an FMCT, as stated in the Shannon report. This mandate was the hard-won result of difficult negotiations by the parties, in which the concerns of all sides were given full consideration. It was confirmed in subsequent General Assembly resolutions on an FMCT and in the action plan contained in the Final Document of the 2010 NPT Review Conference. China is of the view that, in order to successfully launch FMCT negotiations, this mandate should be upheld.

In order to ensure fulfilment of the treaty's objectives and make verification more cost-effective, the scope of fissile materials should be reasonably defined. This will ensure that fissile material is cut off at its source, avoid impeding peaceful uses of nuclear energy, and make the treaty easier to apply. At the same time, the principle of reasonable, effective and affordable verification must be upheld.

Mr. Daryaei (Islamic Republic of Iran): Mr. President, allow me to congratulate you on the assumption of the presidency of the Conference on Disarmament. I would like to assure you of the full cooperation of my delegation in discharging your important tasks.

A large number of members of the international community, including this delegation, have repeatedly called the attention of the international community to the threat posed by nuclear weapons to international peace and security as well as to the security of every individual State. We are of the firm conviction that the existence of nuclear weapons is the greatest threat to the security of all nations. We have requested immediate action by the international community to eliminate that threat. One might ask what the first, best practical measure to reduce the danger of nuclear weapons is. In response, we believe that piecemeal undertakings and cost-free disjointed measures by the nuclear-weapon States are not an option. Indeed, lack of effective and systematic progress towards implementing nuclear disarmament obligations is disturbing. Thus we very much support the start of negotiations on a nuclear weapons convention that totally and systematically prohibits the possession, production, development, stockpiling and use or threat of use of nuclear weapons. As we have already proposed, the nuclear weapons convention as a framework and *chapeau* convention will include the following areas that are relevant to the topic of discussion for today: first, banning the production of all weapons-grade fissile material for military explosive purposes; and second, declaring all stocks of weapons-grade fissile material and their elimination in an irreversible manner according to an agreed timetable.

Therefore, if we start our negotiations on the nuclear weapons convention we can be sure that all aspects of fissile material will be comprehensively tackled in a systematic manner. It is clear that this non-discriminatory, effectively verifiable, legally binding instrument will ban the production of, and provide the legal commitment for the destruction of, all existing fissile material for nuclear weapons in an irreversible and verifiable manner; therefore it will be perceived in the framework of nuclear disarmament and total elimination of nuclear weapons. In this context the FMCT would be a meaningful disarmament measure. Otherwise the FMCT would only prohibit the production of surplus fissile material for nuclear-weapon States, which is an ineffective measure in the field of disarmament. It may also spur rush production efforts in nuclear-weapon States that do not already have such surpluses, which is not even conducive to the purpose of that treaty.

In the same spirit, I once again re-emphasize that an FMCT which is to ban fissile material for nuclear-weapons purposes should not be turned into a futile and innocent instrument for the nuclear-weapon States and their stockpiles by narrowing it down to a polished, depleted package of non-proliferation. We will never accept such an approach. The FMCT should be a clear and meaningful step for nuclear disarmament and non-proliferation in all its aspects. The FMCT should be a comprehensive, non-discriminatory, internationally and effectively verifiable treaty. Past production and existing stocks as well as the future production of fissile material for nuclear weapons or other nuclear explosive devices must be covered under the scope of the treaty. We will vigorously pursue our position in this regard during any negotiations on the FMCT in the Conference in the framework of a balanced and comprehensive programme of work.

We are at a crucial stage of the work of the Conference. We have to build on our achievements in the field of nuclear disarmament. We believe that every State has a special responsibility to work towards removal of the threat of the existence of nuclear weapons. The FMCT has added value only if it adds a new firm commitment to the nuclear-weapon States, and this will happen only if it includes all nuclear-weapon States and those that have nuclear-weapon capability, it covers all the stocks of the nuclear-weapon States and it is universal. Having said that, we believe that the best place for negotiation of the FMCT is the Conference. The scope and definition of the treaty should be based on the disarmament requirements of that treaty, and the treaty should be verified through a one-size-fits-all verification mechanism.

In conclusion, bearing in mind the urgency of eliminating the threat posed by nuclear weapons to international security, we call on members of the Conference on

Disarmament to avoid divergent unhelpful efforts outside the Conference which call into question the credibility of this body. We urge all members to make their utmost effort in a convergent manner to adopt and implement a balanced and comprehensive programme of work based on the agenda and dealing with all core issues in accordance with the rules of procedure of the Conference.

Mr. Kwon Haeryong (Republic of Korea): Mr. President, let me begin by congratulating you on your assumption of the presidency. I assure you of my delegation's full support and cooperation.

During the first session of the Preparatory Committee for the 2015 NPT Review Conference, held in Vienna this month, States parties shared the view that nuclear disarmament was vital to international peace and security, and many States parties argued that immediate commencement of FMCT negotiations was required. Clearly, with the encouraging progress made unilaterally and bilaterally by major nuclear Powers, such as the entry into force of the New START Treaty, many States shared the view that great efforts should be made to initiate multilateral disarmament negotiations, including the negotiation of an FMCT. An FMCT is indispensable not only for nuclear non-proliferation but also for nuclear disarmament. My delegation firmly believes that an early commencement of negotiation on an FMCT in this body is the next logical step towards a world without nuclear weapons.

The resolution on an FMCT adopted at the sixty-sixth session of the United Nations General Assembly called for the Conference to agree on and implement, early in its 2012 session, a programme of work including FMCT negotiations. We understand that FMCT negotiations have security implications for member States, but we do not sympathize with the argument that security concerns can be used to prevent negotiations from being initiated. My delegation believes that national security interests can be fully reflected in the course of negotiations by addressing all relevant issues included in the scope of the treaty, such as current stocks.

Lastly, I would like to join others in voicing appreciation to Germany and the Netherlands for hosting the meeting of scientific experts earlier this week. I believe that this event laid useful groundwork for future negotiations. I hope that the Conference will be able to adopt a programme of work including the negotiation of an FMCT as soon as possible and implement it through the exercise of political will by all member States. My delegation will present our specific position on major FMCT-related issues at the next appropriate plenary.

Mr. Tileuberdi (Kazakhstan): Mr. President, allow me to congratulate you on the assumption of the presidency of the Conference on Disarmament. Please be assured of the full support and cooperation of the Kazakh delegation to keep and to move forward the momentum created by your predecessors.

The position of Kazakhstan on an FMCT is well known. Regarding the FMCT, I just want to say that it is crucial to enhance transparency through developing the verification system as well as to ensure that fissile materials for peaceful use will not be diverted to nuclear-weapon purposes.

In this context I would like to provide an update on Kazakhstan's application to the International Atomic Energy Agency (IAEA) to host the international bank of low-enriched uranium. For now IAEA has chosen to locate this nuclear fuel bank at a metallurgical plant in eastern Kazakhstan. So now we are negotiating with IAEA on the agreement to be signed soon.

We believe that the establishment of the international bank in Kazakhstan will guarantee equal access for all States to nuclear fuel and at the same time will be an important step towards limiting the spread of nuclear weapons.

The President: I thank the representative of Kazakhstan for his statement and his kind words addressed to the President. This concludes my registered list of speakers. Does any other delegation wish to take the floor at this late hour? There was a call for interactivity, which apparently allows for taking into account statements made now in the next session, designated for the topic of a FMCT. So this concludes our business for today, and the next plenary meeting of the Conference will be held on Tuesday, 5 June at 10 a.m. That plenary meeting will focus on the prevention of an arms race in outer space.

The meeting rose at 1.10 p.m.



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